

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

WAYNE BALIGA, derivatively on behalf of
LINK MOTION INC. (F/K/A NQ MOBILE INC.)

Plaintiff,

-against-

LINK MOTION INC. (F/K/A NQ MOBILE
INC.), VINCENT WENYONG SHI, JIA LIAN,
XIAO YU,

Defendants,

-and-

LINK MOTION INC. (F/K/A NQ MOBILE
INC.),

Nominal Defendant.

Civil Action No.: 1:18-cv-11642

**NOTICE OF MOTION FOR
DECLARATORY RELIEF AND
MODIFICATION OF THE
RECEIVERSHIP ORDER**

PLEASE TAKE NOTICE that upon the accompanying Declaration of Michael James Maloney, dated March 1, 2021, the exhibits annexed thereto, the accompanying Declaration of Vincent Wenyong Shi (“Shi”), the accompanying Memorandum of Law, the accompanying proposed Complaint, and upon all prior proceedings, pleadings, and filings in this action, Defendant Shi, by his undersigned counsel, will move this Court, located at the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York, before the Honorable Debra C. Freeman, United States Magistrate Judge, at a date and time to be determined by the Court, for an Order granting the following relief:

(1) Declaring that the statute of limitations applicable to be equitably tolled pending the dissolution of the receivership all statutes of limitations applicable to claims by nominal Defendant Link Motion Inc. against DLA Piper LLP (US), Caryn Schechtman and Marc A.

Silverman for legal malpractice and, in the alternative, breach of fiduciary duty (the “Claims”);
and

(2) Modifying paragraph 2(e) of the receivership order (Dkt. No. 26) to grant Shi the authority to retain counsel on behalf of the Company to commence an action against DLA Piper LLP (US), Caryn Schechtman and Marc A. Silverman for the Claims;

(3) granting such other and further relief as the Court deems just and proper;

PLEASE TAKE FURTHER NOTICE that the time to serve and file papers in opposition to and/or in further support of this motion shall be governed by Local Rule 6.1(b).

Dated: New York, New York
March 1, 2021

Respectfully submitted,

FELICELLO LAW P.C.

By: /s/ Michael James Maloney
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Attorneys for Defendant Vincent Wenyong Shi